

BEFORE THE
ILLINOIS COMMERCE COMMISSION

GARY PIERCE) DOCKET NO.
-vs-) 05-0151
CENTRAL ILLINOIS LIGHT COMPANY,)
d/b/a AmerenCILCO)
Complaint as to billing/charges)
in Springfield, Illinois.)

Springfield, Illinois
March 22, 2005

Met, pursuant to notice, at 10:00 A.M.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

APPEARANCES:

MR. GARY T. PIERCE
2212 Catalina Lane
Springfield, IL 62702

(Appearing pro se)

MR. EDWARD FITZHENRY
1901 Chouteau Avenue
St. Louis, Missouri 63103

(Appearing on behalf of Central Illinois
Light Company, d/b/a AmerenCILCO via
teleconference)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
Ln. #084-002710

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WITNESSESDIRECT CROSS REDIRECT RECROSS

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PROCEEDINGS

JUDGE ALBERS: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 05-0151. This docket was initiated by Gary T. Pierce against Central Illinois Light Company doing business as AmerenCILCO and it concerns a billing dispute in Springfield, Illinois.

May I have the appearances for the record, please? Mr. Pierce, if you could state your name, address and phone number

MR. PIERCE: My name is Gary Pierce. My address is 2212 Catalina Lane, Springfield, Illinois 62702. The address in question is 1940 East Jackson Street, Springfield, Illinois 62703.

JUDGE ALBERS: Thank you. Oh, your phone number?

MR. PIERCE: Phone number is (217) 544-7680.

JUDGE ALBERS: Okay, thank you. Mr. Fitzhenry?

MR. FITZHENRY: Yes. On behalf of Central Illinois Light Company doing business as AmerenCILCO, my name is Edward Fitzhenry. My address is 1901 Chouteau Avenue, Mail Code 1310, St.

1 Louis, Missouri 63103. My telephone number is area
2 code (314) 554-3553.

3 JUDGE ALBERS: Thank you. Let the record
4 reflect that there are no others wishing to enter an
5 appearance.

6 As far as preliminary matters, I believe,
7 Mr. Pierce, you indicated before we went on the
8 record that the caption on the notice you received
9 is incorrect.

10 MR. PIERCE: Uh-huh, the complaint as to
11 billing/charges in Jacksonville, Illinois.

12 JUDGE ALBERS: And it should say?

13 MR. PIERCE: Springfield.

14 JUDGE ALBERS: It would be your desire that
15 that be corrected?

16 MR. PIERCE: Uh-huh.

17 JUDGE ALBERS: Okay, we can take care of that.
18 I received yesterday, actually, the answer by
19 AmerenCILCO to the complaint, and the purpose of
20 today's hearing then is to set a schedule to resolve
21 this matter. So with that we can either -- well,
22 let me ask you this. Have the two of you discussed

1 the scheduling at all?

2 MR. PIERCE: I don't think there is going to be
3 any more discussions on this because even though
4 what happened last time, that has nothing to do with
5 this. I am not going to discuss no more.

6 JUDGE ALBERS: Just as far as schedules for
7 things to get done in this case?

8 MR. PIERCE: No, we will just go with whatever,
9 whatever schedule that the Commission wants to set
10 up. That's what I am going with.

11 JUDGE ALBERS: All right. Well, typically --
12 Mr. Fitzhenry, do you have any thoughts on a
13 schedule at this point?

14 MR. FITZHENRY: Well, the Company does intend
15 to engage in some discovery, Your Honor. My guess
16 is that we will have something sent out next week
17 and under the rules Mr. Pierce will have 28 days to
18 respond. And I would suggest maybe, taking that
19 into account, sometime soon thereafter setting a
20 status hearing. The purpose of the status hearing
21 would be then to decide upon an evidentiary hearing
22 date.

1 JUDGE ALBERS: Okay. And do you have any
2 questions about the discovery process at this point,
3 Mr. Pierce?

4 MR. PIERCE: Well, he said I would have a
5 chance to respond to that. I will respond the best
6 way I can respond to it. Do I respond to you or to
7 him?

8 JUDGE ALBERS: To him. And if there is any
9 dispute as far as --

10 MR. PIERCE: Will I just mail my correspondence
11 to him, not to you?

12 JUDGE ALBERS: Yes.

13 MR. PIERCE: That's what I will do. I will
14 just respond to whatever he comes in with. I will
15 just respond.

16 JUDGE ALBERS: And then under the rules you
17 have the opportunity to ask him any questions that
18 you would like to ask relevant to this proceeding.

19 MR. PIERCE: Okay.

20 JUDGE ALBERS: Did you say something,
21 Mr. Fitzhenry:

22 MR. FITZHENRY: I was going to suggest then

1 with that in mind perhaps a status hearing six weeks
2 from now.

3 JUDGE ALBERS: That's fine. I am just looking
4 at my calendar. Well, six weeks from today is April
5 26. So if the two of you would like to conduct any
6 discovery that you would like to engage in between
7 now and then, that would be fine. We can meet again
8 on April 26 at which time we can set a date for an
9 evidentiary hearing.

10 MR. PIERCE: Okay.

11 JUDGE ALBERS: So is April 26 all right with
12 both of your schedules?

13 MR. PIERCE: Fine with me.

14 MR. FITZHENRY: Yes, Your Honor.

15 JUDGE ALBERS: Okay. Same time?

16 MR. PIERCE: That's fine.

17 MR. FITZHENRY: Yeah.

18 JUDGE ALBERS: Okay. Is there anything else to
19 take care of today then?

20 MR. FITZHENRY: Two things, Your Honor. Would
21 I be able to arrange for the April 26 hearing by
22 telephone?

1 JUDGE ALBERS: That's fine with me. Thank you.

2 MR. FITZHENRY: And also I would like to order
3 a copy of the transcript from Carla, the court
4 reporter.

5 JUDGE ALBERS: All right. So we will meet
6 again on April 26 at 10:00 a.m. thank you, both.

7 (Whereupon the hearing
8 in this matter was
9 continued until April
10 26, 2005, at 10:00 a.m.
11 in Springfield,
12 Illinois.)
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